

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	§	
	§	
<b>Plaintiff,</b>	§	
	§	
<b>VS.</b>	§	<b>CRIMINAL NO. A-11-CR-259 LY</b>
	§	
<b>(1) JOSE RAMIRO VICHARELLY,</b>	§	
<b>(2) IRMA LOPEZ VICHARELLY,</b>	§	
<b>(3) ANGELA PAOLA FAULK,</b>	§	
<b>(4) PEDRO SAUL OCAMPO MUNGUIA,</b>	§	
<b>(5) SERVANDO GONZALEZ, JR.,</b>	§	
	§	
<b>Defendants.</b>	§	

**BILL OF PARTICULARS FOR FORFEITURE OF PROPERTY**

The United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, hereby files the following Bill of Particulars for Forfeiture of Property pursuant to Fed. R. Crim. P. 7(f).

The Indictment (Doc. 3) filed in the instant case included a Notice of Government's Demand for Forfeiture of property pursuant to 18 U.S.C. § 982(a)(6)(A)(ii) for violations of 8 U.S.C. §1324(a)(1)(A)(v)(I) and 18 U.S.C. §1546(a). The United States hereby gives notice that the forfeiture it seeks is more particularly described as follows:

**Forfeiture Statute**  
**[18 U.S.C. § 982(a)(6)(A)(ii)]**

As a result of the criminal violations as set forth in Counts One through Five of the Indictment, which are punishable by imprisonment for more than one year, the United States gives notice that it intends to forfeit, but is not limited to, the below-listed properties from Defendants, JOSE RAMIRO VICHARELLY, IRMA LOPEZ VICHARELLY, ANGELA PAOLA FAULK,

PEDRO SAUL OCAMPO MUNGUIA, and SERVANDO GONZALEZ, JR. Said Defendants shall forfeit any and all right, title, and interest in said properties to the United States pursuant to Fed. R. Crim. P. 32.2 and 18 U.S.C. § 982(a)(6)(A)(ii), which states the following:

**18 U.S.C. § 982 Criminal Forfeiture**

**(a)(6)(A)** The Court, in imposing sentence on a person convicted of a violation of, or conspiracy to violate, section 274(a) . . . of the Immigration and Nationality Act [8 U.S.C. § 1324(a)] or section 1546 of this title. . . shall order that the person forfeit to the United States, regardless of any provision of State law—

....

**(ii)** any property real or personal—

**(I)** that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense of which the person is convicted; or

**(II)** that is used to facilitate, or is intended to be used to facilitate, the Commission of the offense of which the person is convicted.

**I. Personal Property Subject to Forfeiture**

This Notice of Demand for Forfeiture includes, but is not limited to, the following:

- a. One 2006 Mercedes Benz CLS 500, Vin Number WDDDJ75X06A074878;
- b. One 2008 Cadillac Escalade, Vin Number 1GYFK66878R242676;
- c. One 2003 BMW Z-4 Convertible, Vin Number 4USBT334X3LS40864;
- d. One 2006 Lincoln Mark LT, Vin Number 5LTPW16596FJ16399;
- e. One 2006 Jaguar S-Type, Vin Number SAJWA01A96FN57902;
- f. \$61,767.74, more or less, in United States currency seized from Wells Fargo Bank, Account Number \*\*\*\*\*5277, in the name of Jose R. Vicharely;
- g. \$3,554.89, more or less, in United States currency seized from Bank of America, Account Number \*\*\*\*\*5456, in the name of Jose R. Vicharely dba Texas Staffing Resources;
- h. \$245,293.00, more or less, in United States currency seized from the residence of Jose Ramiro Vicharely and Irma Lopez Vicharely;

- I. \$539.90, more or less, in United States coins and currency seized from the residence of Jose Ramiro Vicharely and Irma Lopez Vicharely;
- j. \$2,000.00, more or less, in United States currency from the seized from the residence of Angela Faulk and Servando Gonzales, Jr.;
- k. One male Rolex watch seized from the residence of Jose Ramiro Vicharely and Irma Lopez Vicharely;
- l. One female Rolex watch seized from the residence of Jose Ramiro Vicharely and Irma Lopez Vicharely;
- m. One Mexican gold coin seized from the residence of Jose Ramiro Vicharely and Irma Lopez Vicharely;
- n. One Phillips 42" plasma television, model 42PF7320A/37, seized from the residence of Jose Ramiro Vicharely and Irma Lopez Vicharely;
- o. One Samsung 42" plasma television, model HP-T4254, seized from the residence of Jose Ramiro Vicharely and Irma Lopez Vicharely;
- p. One Burberry leather handbag, HTS number 4202.91.0030, seized from the residence of Angela Faulk and Servando Gonzales, Jr.;
- q. One Burberry leather mini handbag, HTS number 4202.91.9000, seized from the residence of Angela Faulk and Servando Gonzales, Jr.;
- r. Three Gucci leather handbags, HTS number 4202.91.0030, seized from the residence of Angela Faulk and Servando Gonzales, Jr.;
- s. Two Gucci textile handbags, HTS number 4202.92.2000, seized from the residence of Angela Faulk and Servando Gonzales, Jr.;
- t. One Gucci leather wallet, HTS number 4202.31.6000, seized from the residence of Angela Faulk and Servando Gonzales, Jr.;
- u. One Kors leather mini handbag, HTS number 4202.21.9000, seized from the residence of Angela Faulk and Servando Gonzales, Jr.; and
- v. One Fendi leather handbag, HTS number 4202.91.0030, seized from the residence of Angela Faulk and Servando Gonzales, Jr.

## **II. Money Judgment**

Upon conviction of the offense set forth in Counts One and Two, Defendants JOSE RAMIRO VICHARELLY, IRMA LOPEZ VICHARELLY, ANGELA PAOLA FAULK, PEDRO SAUL OCAMPO MUNGUIA, and SERVANDO GONZALEZ, JR. shall forfeit to the United States, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 18 U.S.C. § 982(a)(6)(A)(ii), the following described Money Judgment of Forfeiture:

A sum of money equal to one million dollars in United States currency (\$1,000,000.00), representing the amount of money derived from or traceable to the proceeds obtained directly or indirectly from the commission of the offenses described above and for which JOSE RAMIRO VICHARELLY, IRMA LOPEZ VICHARELLY, ANGELA PAOLA FAULK, PEDRO SAUL OCAMPO MUNGUIA, and SERVANDO GONZALEZ, JR. are jointly and severally liable.

## **III. Substitute Assets**

If the money judgment described above as being subject to forfeiture pursuant to 18 U.S.C. § 982(a)(6)(A)(ii), as a result of any act or omission of Defendants JOSE RAMIRO VICHARELLY, IRMA LOPEZ VICHARELLY, ANGELA PAOLA FAULK, PEDRO SAUL OCAMPO MUNGUIA, and SERVANDO GONZALEZ, JR.:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States of America to seek forfeiture of any other property up to the value of said money judgment described above.

## **IV. Government's Intent to Forego Forfeiture**

Please take notice that the United States will forego forfeiture of the following personal property, which was included in the Notice of Demand for Forfeiture in the Indictment:

- a. Any and all funds in Wells Fargo Bank, Account Number \*\*\*\*\*1901, in the name of Jose R. Vicharely and Daniel A. Vicharely.

Respectfully submitted,

JOHN E. MURPHY  
United States Attorney

By: /s/  
Jennifer S. Freel  
Assistant United States Attorney  
816 Congress Avenue, Suite 1000  
Austin, Texas 78758  
Tel. (512) 916-5858  
Fax (512) 916-5855  
Texas Bar No. 25041327

**CERTIFICATE OF SERVICE**

I hereby certify that on June 6, 2011, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participants:

William H. Ibbotson  
Federal Public Defender's Office  
800 Brazos, Ste. 490  
Austin, TX 78701  
*Attorney for Jose Ramiro Vicharely*

Richard T. Jones  
Richard T. Jones, Inc.  
1302 West Avenue  
Austin, TX 78701  
*Attorney for Irma Lopez Vicharely*

Guillermo Jose Gonzalez  
Buford & Gonzalez  
603 West 17th Street  
Austin, TX 78701  
*Attorney for Angela Paola Faulk*

Ivan A. Andarza  
The Andarza Law Office  
Congress Square II  
611 South Congress Avenue, Suite 210  
Austin, TX 78704  
*Attorney for Pedro Saul Ocampo Munguia*

Hans Viktor Olavson  
Orr & Olavson  
804 Rio Grande  
Austin, TX 78701  
*Attorney for Servando Gonzalez, Jr.*

/s/  
Jennifer S. Freel  
Assistant United States Attorney